THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.8693 OF 2007

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Dt: 24.04.2007

Between:

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Fishermen Co-operative Society Ramaipally.

… Petitioner

and

The Commissioner of Fisheries, and others

… Respondents

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ORDER:

The 3rd respondent – Fishermen Co-operative Society Manoharabad has its area of operation in several villages, including Ramaipally and Palat, Toopran Mandal, Medak District. The members belonging to these two villages intended to form a separate society, through bifurcation of the 3rd respondent-society. The petitioner claims to have made an application to the functional Registrar i.e., the 2nd respondent, for taking necessary steps under Section 15-A of the Andhra Pradesh Co-operative Societies Act, 1964 (for short 'the Act'). It is grievance is that no action has been taken thereon.

Heard learned Counsel for the petitioner and learned Government Pleader for Fisheries.

Section 15-A of the Act prescribes the procedure for bifurcating existing societies. Several factors, such as, financial viability, promotion of cooperative spirit, are mentioned in it. Further, the functional Registrar has to form an opinion, as to the feasibility and then, require the existing society to examine the matter by convening a general body meeting. Depending on the outcome of the resolution that may be passed by the general body, further steps are to be taken. It is too early for this Court to express any opinion, as to the viability, or feasibility of formation of another society. The 2nd respondent is under obligation to take necessary steps.

Hence, the Writ Petition is disposed of, directing the 2nd respondent to examine the application, submitted by the petitioner, with reference to Section 15-A of the Act and take necessary steps, and expedite the process. There shall be no order as to costs.

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L.NARASIMHA REDDY,J

Dt.24.04.2007
GJ